PATENT Attorney Docket No. 2896-4005 Express Mail: EV 498 836 048US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

Lexun Xue

Serial No.

09/997,445

Filed

November 29, 2001

For

TRANSGENIC DUNALIELLA SALINA AS A BIOREACTOR

Group Art Unit:

1638

Examiner

Georgia L. Helmer, Ph.D.

Office Action

July 6, 2004

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Mail Stop: Amendment

AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. § 1.115

Sir:

This is in response to the Office Action issued July 6, 2004 for which a response period of three months was set. The present response is timely.

In response to the Office Action, please amend the application as follows.

<u>AMENDMENT</u>

The amendment of the claims is presented on page 2 of this paper.

The Remarks/Arguments are presented beginning on page 6 of this paper

Docket No. 2896-4005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

applicant(s):

Lexun Xue et al.

Group Art Unit:

1638

Serial No.:

09/997,445

Examiner:

Georgia L. Helmer, Ph.D.

Filed:

November 29, 2001

For:

TRANSGENIC DUNALIELLA SALINA AS A BIOREACTOR

AMENDMENT FEE TRANSMITTAL

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for the above-identified application.

No additional fee is required.

The additional fee has been calculated as shown below:

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest No. Covered by Previous Payments	Extra	Rate	Additional Fee
Total Claims*	7- 20 =	20		\$18.00/\$9.00	\$ 0
Independent Claims	2-3=	3		\$88.00/ \$44.00	\$ 0
Multiple Dependent Claims	(If claims added by amendment include Multiple Dependent Claim(s) and there was no Multiple Dependent Claim(s) in application before amendment add \$300.00 to additional fee (\$150.00 for small entity).				\$
				TOTAL	\$ 0

^{*}Includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. §1.75(c).

Docket No. <u>2896-4005</u> Serial No. <u>09/997,445</u>

	Reduced Fees Under 37 C.F.R. §1.9(f) paid herewith \$				
	Pages Sequence Listing				
	Computer disk(s) containing substitute Sequence Listing				
	Statement under 37 C.F.R. §1.825(b) that the computer and paper copies of the substitute Sequence Listing are the same.				
	A check in the amount of \$ to cover the filing fee is attached.				
	Charge fee to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.				
X	The Commissioner is hereby authorized to charge any additional fees which may be required for filing this amendment, including all fees pursuant to 37 CFR §1.17 for its timely consideration, or credit any overpayment to Deposit Account No. <u>13-4500</u> , Order No. <u>2896-4005</u> . A DUPLICATE COPY OF THIS SHEET IS ATTACHED.				
	Respectfully submitted, MORGAN & FINNEGAN, L.L.P.				
Dated:	October 5, 2004 By: Waria Colombia.				
	Maria <u>C.H. Lin</u> Registration No. <u>29,323</u>				

Correspondence Address:

MORGAN & FINNEGAN, L.L.P. 3 World Financial Center New York, NY 10281-2101 (212) 415-8700 Telephone (212) 415-8701 Facsimile